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**REMARKS**

Claims 1 – 36 are currently pending. In the above-identified Office Action, the Examiner maintained the rejections of Claims 1, 2, 22, 24 and 36 were rejected under 35 U.S.C. § 102(e) as being anticipated by Raese ('853) and the rejections of Claims 1 – 25, 27 – 31 and 33 – 36 under 35 U.S.C. § 103(a) as being unpatentable over Marshall (U.S. Pub. 2002/0122373 A1) in view of Guzik *et al.* (U.S. Pub. 2002/0114101 A1) hereinafter 'Guzik'.

By this Amendment, Claims 1, 4, 9, 22, and 36 have been amended and Claims 3 and 23 – 35 have been canceled. For the reasons set forth below, the present claims should be allowable. Accordingly, reconsideration, allowance and passage to issue are respectfully requested.

As noted previously, the present invention addresses the need in the art for a system or method for accurately positioning read and write mechanisms relative to a memory module to allow information to be stored and retrieved reliably. This is achieved with the addition of control-code to a memory device which, when read, is used to control the position and/or timing of a read/write mechanism relative thereto.

The claims have been further amended to recite that the invention includes means and methods for comparing the amplitudes of signals detected from information stored in a first region on media to signals detected in a second region on the media. Support for these amendments may be found in the Specification at paragraphs 0038 – 0040.

The invention is set forth in Claims of varying scope of which new Claim 37 is illustrative. Claim 37 recites:


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37. A system for accessing data stored on a medium comprising:  
means for reading first information from first and second regions on said medium;  
means for generating a first and second signals in response to reading the first information in said first and second regions respectively; and  
means for comparing the amplitudes of signals detected from said first information stored in said first region on said medium to signals detected from first information stored in said second region on said medium to generate a second signal.  
(Emphasis added.)

None of the references, taken alone or in combination, teach, disclose or suggest the invention as presently claimed. That is, none of the references teach disclose or suggest a system or method for accessing data stored on a medium having or using means for comparing the amplitudes of signals detected from information stored in a first region on media to signals detected in a second region on the media.

Accordingly, reconsideration, allowance and passage to issue are respectfully requested.

Respectfully submitted,  
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